



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,254	11/10/2003	Paul J. Campagnola	UCT-0036	3199
23413	7590	07/31/2006	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			HAMILTON, CYNTHIA	
			ART UNIT	PAPER NUMBER
			1752	
DATE MAILED: 07/31/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Interview Summary	Application No.	Applicant(s)	
	10/705,254	CAMPAGNOLA ET AL.	
	Examiner	Art Unit	
	Cynthia Hamilton	1752	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Primary Examiner Cynthia Hamilton. (3) Paul Campagnola (applicant).
 (2) Karen LeCuyer (applicant's representative). (4) _____.

Date of Interview: 26 July 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
 If Yes, brief description: _____.

Claim(s) discussed: claim 1.

Identification of prior art discussed: Mentioned STrickler et al 5,289,407 (incorporated by reference in application).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

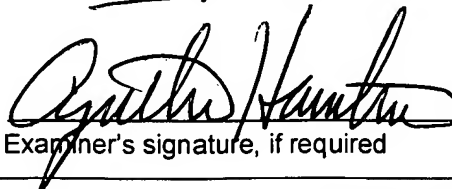
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Note ATTACHMENT 4 pages

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants submitted a proposed amendment by fax before the interview which was requested by Ms. LeCuyer. See ATTACHMENT. The examiner agreed the proposed claim language would overcome the rejection in the Final Office action under 35 USC 112, second paragraph. The examiner did note that the amendment would not be entered after final because the amendment changed the scope of crosslinker to a genus not fully considered under the election of species requirement set forth. The examiner and Applicant discussed the meaning of multi-photon excitation. The examiner noted the definition in Strickler et al and that Strickler et al was available for essential material in the instant application. The examiner mentioned US Patent 3,453,604 to Geusic dated 1969 but applicants had no copy available. Geusic referenced multiphoton excited fluorescence. Applicant mentioned focal point as place where the point of activation occurred in multiphoton excitation..

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent; examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

GH
7/26/06Attachment

CANTOR COLBURN LLP

INTELLECTUAL PROPERTY ATTORNEYS

55 Griffin Road South

Bloomfield, CT 06002

telephone: (860) 286-2929

main fax: (860) 286-0115

===== FACSIMILE TRANSMITTAL SHEET =====

DATE: July 25, 2006

TO: Examiner Cynthia HamiltonCOMPANY: USPTOFAX NO.: 5712731331

TEL. NO.: _____

FROM: LeCuyer, KarenTOTAL NUMBER OF PAGES SENT
(INCLUDING THIS COVER SHEET): 4

COMMENTS: Dear Examiner Hamilton,

Attached is a proposed amendment Inventor Paul Campagnola and I would like to discuss during our telephone interview Wed. July 26 at 11 AM. Also attached is a figure describing the differences between single photon and two photon excitation that the Examiner would like to discuss.

With best regards,

Karen LeCuyer

Should you have any problems with this transmission please call:

LeCuyer, Karen

at 860-286-2929

IMPORTANT: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that reading, disseminating, distributing or copying this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Paul J. Campagnola, et al.)	
)	
Serial No.:	10/705,254)	Group Art Unit: 1752
)	
Filed:	November 10, 2003)	
)	Examiner:
)	Hamilton, C.
For:	PHOTOACTIVATORS, METHODS OF)	
	USE, AND THE ARTICLES DERIVED)	
	THEREFROM)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PROPOSED AMENDMENT

Sir:

This amendment is submitted in response to the Final Office Action dated February 23, 2006. Allowance of the claims is requested in view of the following amendments and remarks.

IN THE CLAIMS

1. (Currently Amended Proposed) A method for crosslinking one or more molecules, comprising

photoactivating a photactivatable crosslinker in the presence of the one or more molecules by multi-photon excitation, wherein the crosslinker comprises at least two photoactive groups covalently linked by a bridging moiety, and further wherein the point volume of the activation produces an element that has at least one dimension of less than about 1 micron; and

crosslinking the one or more molecules with the activated crosslinker,

wherein the crosslinking produces a three-dimensional structure; and

wherein the photoactive groups are selected from the group consisting of benzophenones, triazines, chromophore-substituted halomethyl-s-triazines, pyrazines, pyrimidines, pyradizines, benzotriazoles, nitrobenzenes, phenyldiazenes, pyridazine diones, phthalazine diones, and a combination comprising at least one of the foregoing photoactive groups.

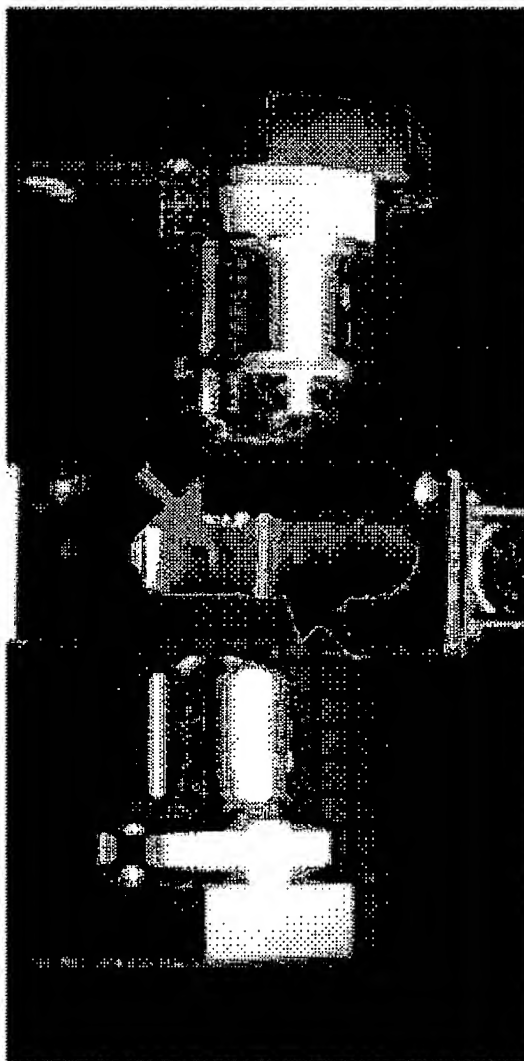


Figure 1 A comparison of one- and two-photon excitation spectra. Fluorescence solution is excited by one-photon excitation (blue arrow) via a 0.1-cm-diameter objective. Fluorescence excitation is observed throughout the path of the laser beam. For two-photon excitation by using a second objective with the same numerical aperture (red arrow), fluorescence excitation occurs only within a 3-D localized spot.

Best Available Copy